



November 8, 2010

Ms. Jennifer Sincock  
US EPA Region 3, Water Protection Division (3WP30)  
1650 Arch Street  
Philadelphia, PA 19103

RE: Docket ID No. EPA-R03-OW-2010-0736

Dear Ms. Sincock:

RISE (Responsible Industry for a Sound Environment)<sup>®</sup>, on behalf of its member companies, is submitting comments on the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay. Our members support efforts to restore the Chesapeake Bay and believe the products they produce play a significant role in protecting this important national resource. We ask that you give our comments careful consideration as you move forward with the TMDL.

RISE is a national not-for-profit trade association representing more than 225 producers and suppliers of specialty pesticide and fertilizer products to both the professional and consumer markets. RISE member companies manufacture more than 90 percent of domestically produced specialty fertilizers used in the United States, including consumer lawn and garden, golf course and other professional turf and lawn care, greenhouse and nursery products. RISE members are important stakeholders in the TMDL process. Our members have a tremendous amount of information about how consumers and professionals use fertilizer products. For example, we know specialty fertilizer use is typically less than 3% of the total fertilizer tonnage used in each state.

## **General Comments on the TMDL**

Thick healthy lawns can play a significant role in protecting the Chesapeake Bay. Healthy lawns provide the following benefits:

- Lawns trap particles (pollution)
- Lawns slow runoff velocity (promote infiltration)
- Lawns stabilize soil (prevent erosion)
- Lawns absorb carbon dioxide
- Lawns produce oxygen

The EPA acknowledges some of these benefits in their definition of *Swales: Grassed* in the Municipal Separate Storm Sewer Systems (MS4) Questionnaire.

The United States Department of Agriculture (USDA), based upon research conducted in the Choptank River watershed, now recommends planting a cover crop of rye grass after harvest to reduce nutrient losses from farming activities to the Chesapeake Bay. Rye grass is planted because grasses are very efficient in their use of nutrients, thus preventing any movement of nutrients away from the site.

The United States Department of Transportation (USDOT) requires planting turf grass alongside roads to prevent erosion and to filter runoff from the highway. These and other benefits turf grass provides are well documented in peer reviewed research conducted in the Chesapeake Bay watershed.

The specialty fertilizer market does not include agriculture; therefore, in a typical state the annual tonnage for specialty fertilizers sales is usually less than 3% of the total amount of fertilizer sold into the state. This percentage can vary from state to state based upon the agricultural commodities produced within each state. We believe a careful analysis of the fertilizer tonnage data for each Chesapeake Bay state is an appropriate start to gaining a better understanding of the significant fertilizer use patterns in the bay's watershed.

We believe our unique knowledge of consumer product use is invaluable to making meaningful changes to improve the bay. For example:

- 50% of homeowners do not apply any fertilizer to their lawns on an annual basis.
- 12% of homeowners contract with a professional lawn care company.
- 38% of homeowners that engage in the do-it-yourself (DIY) fertilizer market each year.

These DIY consumers make less than two fertilizer applications a year to their lawns. This rate of application is less than the maintenance level of fertilization recommended by most turf researchers. One important step to a healthy bay is proper fertilizer use to create and maintain healthy lawns.

This issue is so important to our members that we gathered the top turfgrass researchers from around the country to present their research on the transport of nutrients and pesticides in the environment. The papers presented at the symposium were peer-reviewed and published by the American Chemical Society. The book is part of the ACS Symposium Series #997, the book is entitled *The Fate of Nutrients and Pesticides in the Urban Environment* and was edited by Mary T. Nett; Mark J. Carroll, PhD (University of Maryland); Brian P. Horgan, PhD (University of Minnesota) and A. Martin Petrovic PhD (Cornell University).

What did we learned at our symposium?

- Nutrient losses from unfertilized turf are greater than from fertilized turf

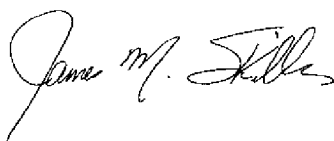
So we have a lot of information to share with the Chesapeake Bay Program. We certainly agree, all residents that live within the Chesapeake Bay watershed must do their part to help protect the bay. The Chesapeake Bay TMDL is designed to address nutrients (nitrogen and phosphorus) and sediment contributions to the bay. We know that homes with thick healthy lawns will protect the Chesapeake Bay; thick healthy residential lawns are part of the solution.

We believe that the Chesapeake Bay TMDL should have an educational component to address DIY lawn fertilization. Consumers should be encouraged to protect the Chesapeake Bay through a robust communications program based upon proven best management practices for lawn care.

Everyone within the Chesapeake Bay watershed wants to protect the bay and will take appropriate action with guidance from the EPA and the states. We look forward to joining other stakeholders to help create a plan for improving the bay.

If you have any questions please do not hesitate to contact me.

Sincerely,



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